

**CALIFORNIA EMERGENCY MANAGEMENT AGENCY****PUBLIC SAFETY AND VICTIM SERVICES DIVISION**

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April 1, 2010

Richard Kravetz
Executive Director
Domestic Violence Solutions for Santa Barbara County
PO Box 1536
Santa Barbara, Ca 93102

Re: DV09191414,

Dear Mr. Kravetz:

On March 23rd and 24th, 2010, I conducted a site visit of the Domestic Violence Assistance Program operated by Domestic Violence Solutions for Santa Barbara County. Thank you for your time and cooperation during the Site Visit. It was a pleasure meeting with you, Kim, Crystal, Roberta, and the other staff working on the program.

During the site visit, we discussed Cal EMA's requirements for the project, the goals and objectives of the program, the project's source documentation, and the reporting requirements. As a result of the visit, I have identified areas which need corrective action. Each finding is listed below, as well as the corrective action necessary for compliance and due date by which the corrective action must be completed.

California Environmental Quality Act (CEQA)

Finding: A current CEQA was not on file.

Citation: Recipient Handbook Section 2153 requires all Cal EMA funded projects to certify compliance with CEQA. A copy of the CEQA compliance memo or other certification must be completed once during the project's grant award cycle. The original copy must be retained on file for review during site and monitoring visits by Cal EMA staff.

Corrective Action: The project must obtain a current CEQA and submit a copy to Cal EMA by **July 1, 2010**. A sample CEQA Compliance memo is located in the Recipient Handbook, Appendix U.

Comment: Contact your city or county planning department to have them prepare an environmental document stating whether the project will have a significant effect on the environment.

Fidelity Bond

Finding: The project did not have the required Fidelity Bond documentation on file.

Citation: Recipient Handbook, Fidelity Bond, Section 2160, requires recipients to obtain a fidelity bond or an equivalent employee dishonesty insurance contract in an amount equal to 50 percent of the

total grant award, less matching funds. Section 2161.2 indicates the Fidelity Bond must include Form A, Employee Dishonesty, and Form B, Forgery Coverage. The Fidelity Bond must provide blanket coverage of all employees; a scheduled bond is not acceptable. Further, Section 2161.4 states the certificate holder or first loss payee must be the State of California, Emergency Management Agency. The grant numbers for each grant covered must be included.

Corrective Action: See Recipient Handbook Section 2160, Certificate of Insurance, for the components that must be included in the certificate. Documentation from an insurance carrier that verifies the grant recipient is in compliance with this requirement must be submitted to Cal EMA by **July 1, 2010**.

Staff Personnel Files

Finding: Neither the staff personnel files nor the volunteer files, contained a signed and dated Drug Free Workplace statement.

Citation: Recipient Handbook Section 2152.3 (c)(2) states “(Employees) will agree to abide by the terms of the company’s [Drug Free Workplace] statement as a condition of employment on the contract or grant.”

Corrective Action: Personnel files for grant-funded staff must be brought into compliance by **July 1, 2010** and Cal EMA is to be notified once this is completed.

Organizational and Personnel Policies and Procedures

Finding #1: The project lacks written organizational policy and procedures that establish the process whereby data is collected and then reported. The project has procedures for accomplishing the recording tasks, but lacks a formalized policy for the handling of data. The project also lacks a travel policy, and administrative policies for the regular functioning of the business office.

Citation: Recipient Handbook Section 11400 states, “The organization must have written policies and procedures covering hiring, firing, termination, conflict of interest, benefits, salary rates, travel, etc. There should also be written procedures regarding the accounting and reporting functions, including but not limited to a) Cash receipts and revenue; b) deposits; c) cash disbursements; d) payroll; e) general ledger; and f) equipment. In addition, any other policies and procedures (e.g., purchasing contracts) that relate to operating the project must be in writing.”

Corrective Action: A comprehensive administrative policy and procedure manual should be created to formally document the methods used for the collection of data related to the project, the responsibility of personnel involved in the reporting of data, the policies for the operation of the business center on holidays and during lunch breaks, travel policy, as well as all other procedural guidelines for the functioning of the business. While some of these components may already exist in various pieces at the different locations, the accumulation of these policies into a standardized central form is needed. This process should be completed no later than **October 1, 2010**.

Finding #2: The project lacks written Personnel Policies pertaining to hiring and promotional opportunities.

Citation: The Recipient Handbook (Section 2130) indicates Cal EMA funded projects must maintain personnel policies that, at a minimum, include work hours, compensation rates (including overtime and benefits), vacation time, sick time, other leave allowances, and hiring and promotional policies.

Corrective Action: The project has recently revised its Employee Handbook. Sections on hiring and promotional opportunities should be added to this handbook. More specifically, the projects recruitment processes, hiring processes, and promotion process should all be standardized and identified in the Employee Handbook. A revised copy of the Employee Handbook should be

submitted to Cal EMA no later than **July 1, 2010**.

Finding #3: The project lacks written Personnel Policies for the accommodation of employees with disabilities.

Citation: The Recipient Handbook (Section 2151.1) discusses comprehensive state and federal civil rights regulations which include directives and prohibitions. Projects are mandated (“d”) to provide reasonable accommodation for an employee or for an applicant with a known physical or mental disability, unless the employer can demonstrate that such accommodation would impose undue hardship. Subsection “b” mandates “qualified persons with disabilities will not be excluded, denied benefits, or discriminated against, solely on the basis of the physical disability, mental disability, or mental condition, under any program or activity receiving financial assistance from Cal EMA.

Corrective Action: The project lacks written policies for addressing the needs of employees requiring reasonable accommodation. This policy should be created and included in the current Employee Handbook, and submitted to Cal EMA no later than **July 1, 2010**.

Proof of Authority

Finding: The project does not have a written authorization/resolution on file as required by the Grant Award Agreement.

Citation: The Recipient Handbook Section 1350 states, “All recipients, except for State Agencies, are required to obtain written authorization from the city council/ governing board that the official executing the agreement is, in fact, authorized to do so (e.g. a Resolution, pertinent Minutes, or a letter from the Board Chair). Recipients must maintain this written authorization on file and make it available on demand.”

Corrective Action: The Executive Director will need to go before the board and obtain written authorization giving the Executive Director permission to conduct business including the authority to apply for and execute policy related to the Grant Award Agreement with Cal EMA. This resolution should be sought annually, prior to the beginning of the new grant year (fiscal year). A copy of this resolution should be submitted to Cal EMA no later than **July 1, 2010**.

EEO Policy

Finding #1: The project lacks written policies for language assistance services that provide Limited English Proficiency (LEP) persons with meaningful access, i.e. oral interpretation services, bilingual staff, telephone interpreter lines, written language services, community volunteers, etc.

Citation: Recipient Handbook Section 2151.7 states, “Cal EMA program staff will provide an EEO Checklist to recipients prior to all site/monitoring visits. The checklist will assist Cal EMA in verifying that recipients are in compliance with state and federal civil rights requirements by noting that various EEO documents (EEO Policy, Nondiscrimination Poster) are available at the site/monitoring.”

Corrective Action: Personnel responsible for EEO compliance should contact the Cal EMA EEO Compliance Officer at (916) 845-8454 for additional information on specific state and federal civil rights laws to ensure compliance. Additionally, the project should establish a written personnel policy and a written administrative policy for addressing the needs of those with LEP. Evidence of this new policy should be submitted to Cal EMA no later than **July 1, 2010**.

Finding #2: The project does not distribute the written EEO policy to volunteers, clients, or the general public.

Citation: See Recipient Handbook Section 2151.7.

Corrective Action: Personnel responsible for EEO compliance should contact the Cal EMA EEO Compliance Officer at (916) 845-8454 for additional information on specific state and federal civil rights laws to ensure compliance. Additionally, the project should post a copy of all EEO Policies in a public forum in addition to distributing the EEO policy to volunteers during orientation.

Functional Timesheets

Finding: The project is not currently using functional timesheets to track grant funded positions.

Citation: The Recipient Handbook (Section 11331) states “All grant-funded personnel must maintain time cards/sheets that indicate on a daily basis, the actual time worked on each Cal EMA project and account for all the time worked by the employee during the pay period... An allocation plan may be used to allocate salaries and benefits for individuals who work on more than one program or grant (see Section 2173).”

Corrective Action: Currently, the project has multiple time-sheets that track personnel based on work location. The agency also has a time sheet that tracks some of the functions of employees. However, these timesheets are not standardized and used throughout the agency. Functional timesheets must be created to document the actual amounts of time each funded position spends on grant related activities. A copy of the new functional timesheet should be submitted to Cal EMA no later than **July 1, 2010**. Additionally, the Employee Handbook should be revised to provide policy as to the use of functional timesheets.

Separation of Duties

Finding: According to the financial officer and the persons responsible for routine financial responsibilities, expenditures that do not amount for \$5,000 are approved solely by the Executive Director. One person having sole responsibility for the signing of checks constitutes a lack of checks and balances; the current internal mechanisms are insufficient.

Citation: The Recipient Handbook (Section 8910) indicates agencies must have internal controls to protect the agency. No one person can perform all of the essential duties involved in generating payments.

Corrective Action: Following the guidelines set forth in section 8910 of the Recipient Handbook, the project must develop a written policy and protocol for making payments that provides necessary internal controls to protect against fraud or the appearance of impropriety. Evidence of the successful development and implementation of this policy should be submitted to Cal EMA no later than **July 1, 2010**.

Operational Agreements

Finding: The projects Operational Agreements are effective for six years.

Citation: The 2010/2011 RFA indicates Operational Agreements should not exceed three years in length.

Corrective Action: While the current RFA (09/10) does not place restrictions on the length of time an OA can be in place, the current Operation Agreements for the project are set to expire June 30, 2010. As the application for the new RFA will be in place by that time, new Operational Agreements should be established with relevant agencies for a term not to exceed three years.

Additional Administrative Recommendations

- 1) While no statutory authority specifically prohibits charging pro-rated fees for counseling or for shelter rent, any income derived from these sources must be reported to Cal EMA quarterly using

Cal EMA form 2-234. All of the income collected during each quarter must be then reallocated to meet grant related objectives. As the project is currently charging only nominal fees for both counseling and for shelter rent, it is highly advisable the practice is discontinued. The process of tracking, reporting, and budgeting the marginal revenue may very well outweigh the benefit received from the revenue.

- 2) While the Operational Agreements in place are sufficient for the purposes of the grant, the project is currently working with other local organizations (Catholic Charities in Santa Barbara, Walmart in Lompoc, etc.) that provide goods or services. No Operational Agreement or Memorandum of Understanding is in place for these agencies. Formalizing the relationship between the agencies may help to provide some legitimacy in seeking aid from other local agencies. It may also allow for the utilization of the resources throughout the agency rather than just at the specific shelter that has been receiving the benefit.
- 3) Both volunteer and staff (those responsible for direct services to clients) should have copies of the syllabus from their 40 hour training in their files. This is not mandated in the 09/10 RFA, but it is required in the 10/11 RFA.

Enclosed is a copy of the completed Site Visit Checklist form for your review. Please sign the cover page and return a copy of the page to me by **May 1, 2010** as confirmation of receipt.

Thank you again for your hospitality during the visit. If you have any questions or need assistance, please contact me at (916) 324-9104 or Jason.Stalder@calema.ca.gov.

Sincerely,

Jason Stalder
Criminal Justice Specialist
Domestic Violence Section

Enclosures